

REMARKS

I. Amendments to the Claims

Upon entry of the foregoing amendment, claims 1, 3, 6, 7, 9-14, 16-19, and 21-23 are pending in the Application. Claims 1, 6, 9, 14, 16, 18, and 19 are amended. Claim 8 is canceled.

Applicants respectfully request entry of the above amendment and submit that the above amendment does not constitute new matter. Support for the amendments to the claims can be found throughout the specification and in the claims as originally filed. Specifically, claim 1 has been amended to incorporate the limitation of claim 8. Support for the amendment to claim 1 may also be found, *inter alia*, in the specification at p. 10, par. [053]. Claims 6, 9, 14, 16, 18, and 19 have been amended for proper antecedent basis.

Based on the instant amendment and remarks, Applicants respectfully request that the Examiner withdraw the outstanding objections and rejections.

II. Rejection under 35 U.S.C. § 102(b)

The Office Action stated that claims 1, 3, 6, 7, 9, 12, 16, and 21 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Jyy-Jih Tsai-Wu *et al.*, *Preparation of Heteroduplex DNA Containing a Mismatch Base Pair with Magnetic Beads*, Analytical Biochemistry 275, 127-129 (1999) ("the Tsai-Wu reference"). *See* Office Action, pp. 2-5. Applicants respectfully traverse this rejection.

Claim 1 has been amended to incorporate the limitation of claim 8, which was designated as being allowable. *See* Office Action Summary. Thus, Applicants respectfully submit that the rejection is moot and claim 1, as amended, is in condition for allowance. Claims 3, 6, 7, 9, 12, 16, and 21 depend from claim 1; therefore, they are also in condition for allowance.

For at least these reasons, the Tsai-Wu reference does not anticipate the claims of the present application. Therefore, Applicants respectfully request that the rejection of claims 1, 3, 6, 7, 9, 12, 16, and 21 under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

III. Rejection under 35 U.S.C. § 102

The Advisory Action stated that claim 1, as amended in the Amendment filed on January 22, 2007, contained multiple distinct "parental polynucleotides." Therefore, as asserted in the

Advisory Action, the additional recitation of “parent polynucleotides” would render the antecedent basis for the “parent polynucleotide” in the dependent claims indefinite and would raise new issues under 35 U.S.C. § 112. *See Advisory Action, p. 2.*

Claim 1 has been amended to remove the additional recitation of “parent polynucleotides.” Thus, Applicants respectfully submit that the antecedent basis for “parent polynucleotide” in the dependent claims is definite, and therefore, no new issues are raised. For at least these reasons, Applicants respectfully submit that claim 1 and claims 3, 6, 7, 9, 12, 16, and 21, which depend from claim 1, are in condition for allowance.

IV. Claim Objections

In the Advisory Action, claims 8, 10, 11, 13, 14, 17-19, 22, and 23 were objected to as being dependent on a rejected base claim. *See Advisory Action, p. 2.* Because claim 1 is in condition for allowance, as discussed in Section III above, and claim 8 has been canceled, Applicants respectfully submit that claims 10, 11, 13, 14, 17-19, 22, and 23 are in condition for allowance. Therefore, Applicants respectfully request that the objection be reconsidered and withdrawn.

CONCLUSION

All of the stated grounds of objections and rejections have been accommodated or rendered moot. Applicants, therefore, respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

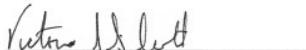
The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

It is believed that no additional fees are due in connection with this Supplemental Amendment. However, in the event that the USPTO determines that a variance exists between the amount due and the amount authorized above, the Commissioner is hereby authorized to credit or debit any such variance to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

Dated: March 26, 2007

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